

**PROJECT TITLE
DUTCH SLOUGH TIDAL MARSH RESTORATION PROJECT
SCH # 2006042009**

**EXHIBIT B
FINDINGS ON ENVIRONMENTAL EFFECTS**

Section 15091 of the CEQA *Guidelines* states:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) must be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

The conclusions presented in these findings are supported by substantial evidence in the record and are based on the final EIR (including the Draft EIR and responses to comments on the draft EIR) and other evidence in the record of proceedings. To the extent that the findings below conclude that various proposed mitigation measures are feasible and within the Department's authority, the Department, by approving the proposed project, agrees to implement these measures, thereby incorporating them into the approved project.

The findings below accomplish the following: a) they identify the significant environmental effects identified in the EIR for the project; b) they require or incorporate into the proposed project all feasible mitigation measures associated with the significant impacts identified in either the Draft EIR or the Final EIR, and; c) they indicate whether the incorporated mitigation

measures will avoid or substantially lessen the significant effects identified in the final EIR to a less-than-significant level, or whether the impact remains significant and unavoidable, either because there are no feasible mitigation measures or because, even with implementation of mitigation measures, a significant environmental impact may occur. For any effects which remain significant and unavoidable, a statement of findings regarding alternatives to the proposed project and a statement of overriding considerations is presented.

The findings below identify the impacts and mitigation measures for each potentially significant impact and reference the impact and mitigation number as found in the relevant sections of the DEIR or FEIR where they are discussed. The specific mitigation measures are referenced in the Mitigation, Monitoring and Reporting Program (MMRP) adopted concurrently with these findings and will become effective through project implementation.

As required by Section 15091(e) of the CEQA Guidelines, the custodian and location of the EIR and other documents or other materials which constitute the record of the proceedings upon which your decision is based are as follows:

Patty Quickert
Delta Ecosystem Enhancement Branch
FESSRO
Department of Water Resources
1416 9th Street, Room 1623
Sacramento, CA 95814

Based on the final EIR and the entire record, the Department makes the following findings (beginning on page 4) with regard to environmental effects of the proposed project.

FINDINGS REGARDING ALTERNATIVES TO THE PROJECT

Section 15126.6 of the CEQA *Guidelines* states:

- a) Alternatives to the Proposed Project: An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.

Subsections 15091(a)(3) and (b) provide that if an agency finds that specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR, the findings shall be supported by substantial evidence in the record. The findings below regarding environmental effects identify some impacts that are potentially significant and unavoidable even after the implementation of all feasible mitigation measures. This section provides additional detail and findings supporting those determinations.

There are three basic objectives of the Project:

- Benefit native species by re-establishing natural ecological functions and habitats,
- Contribute to scientific understanding of ecological restoration; and
- Provide shoreline access, educational and recreational opportunities.

The EIR for the Project includes three project Alternatives which attain these basic objectives. All Alternatives covered in the EIR have similar levels of impact and result in the same significant and unavoidable impacts.

Findings: Based on the final EIR and the entire record, the Department makes the following findings with regard to alternatives to the proposed project:

1. To eliminate or lessen the significance of the project's unavoidable impacts, the project would have to be implemented in another location, which is infeasible.
2. The environmental benefits of the project outweigh the impacts of the unavoidable impacts.

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
HYDROLOGY AND GEOMORPHOLOGY				
3.1.1-1/2-1/3-1/4-1	Erosion in terminal sloughs due to increased tidal prisms	3.1.1-1.1: Erosion/ Sedimentation design and performance standards. 3.1.1-1.2: Erosion monitoring and adaptive management.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation actions.
3.1.1-5/2-7/3-7/4-2	Possible water quality degradation in Contra Costa Canal due to groundwater seepage	Breach Project upon completion of Canal encasement project	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.1.1-6/2-8/3-8	Groundwater intrusion onto adjacent parcels	3.1.1-6.1: Groundwater monitoring and compensatory program: west and north of Project site 3.1.1-6.2: Groundwater intrusion protection: east of site 3.1.1-6.3: Delay Project until cessation of irrigation on ISD parcels and construction of Jersey Island Road levee	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation actions.
3.1.1-7/2-9/3-9	Wind-wave driven levee overtopping of southern uplands into Contra Costa Canal	Breach Project upon completion of Canal encasement project	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.

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3.1.1-8/2-10/3-10	Insufficient sedimentation in new wetland basin to keep up with Sea-level rise	None proposed, though a number of features to minimize the impact of sea-level rise on marsh restoration and its physical evolution have been incorporated into the project design: gradually sloping marsh surface, early initiation of marsh vegetation to promote organic matter accretion, and design exterior levees for adaptation to sea level rise.	Uncertain and Speculative. Impact significance depends on the rate of sea level rise and accretion.	Finding/Rationale: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that the level of impact is uncertain and speculative. Under CEQA Guidelines Section 15145, no action is required.
3.1.1-9/2-11/3-11	Limited persistence of shallow tidal marsh channels	Channel designed to prevent emergent vegetation from filling in channels	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.1.2-3/3-3	Point bar formation in Marsh Creek	Channel design and monitoring	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.1.2-4/3-4	Sedimentation in tidal portion of relocated Marsh Creek channel	Channel design and monitoring	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.

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3.1.5-1	Cumulative Impact - Groundwater seepage into the C. C. Canal	Breach Project upon completion of Canal encasement project	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.1.5-2	Cumulative Impact – Groundwater seepage into Cypress Grove and Dutch Slough properties	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.1.5-3	Cumulative Impact – Groundwater seepage and tidal flooding east into Hotchkiss Tract	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.1.5-4	Cumulative Impact – Tidal flooding south into Cypress Grove and Dutch Slough properties	Flood hazard study and construct flood protection improvements	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.1.5-5	Cumulative Impact – Excess Scour in Emerson Slough	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.1.5-6	Cumulative Impact – Excess scour in Little Dutch Slough	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
WATER QUALITY				
3.2.1-1/2-1/3-1/4-1	Degradation of water quality due to release of contaminants and sediment from construc-	3.2.1-1.1: Storm Water Pollution Prevention Plan 3.2.1-1.2: Dewatering restrictions 3.2.1-1.3: Contractor training for	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant

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	tion activities	<i>protection of water quality</i> 3.2.1-1.4: Minimize potential pollution caused by inundation of site		environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation actions.
3.2.1-2/2-2/3-2	Degradation of water quality due to increased dissolved organic carbon (DOC) in Delta waters	3.2.1-2.1: Refine Model for export and transport of TOC and DOC prior to initiating tidal flow 3.2.1-2.2: Phase restoration of parcel	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation actions.
3.2.1-3/2-3/3-3	Degradation of water quality due to increased erosion and turbidity after construction	Dredge Little Dutch Slough	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.2.1-4/2-4/3-4	Degradation of water quality due to increased mercury methylation	Monitoring program, and potential prohibition of diversion of Marsh Creek	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.2.1-5/2-5/3-5	Degradation of drinking water quality due to alteration of salinity levels in Delta waters	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.2.1-6/2-6/3-6	Degradation of water quality due to increased salinity concentrations	Breach Project upon completion of Canal encasement project	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the pro-

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	in the Contra Costa Canal			posed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.2.1-7/2-7/3-7	Degradation of water quality due to elevated metals, endocrine disrupting chemicals, or other pollutants	Marsh Creek water quality testing and evaluate feasibility of Marsh Creek relocation based on water quality considerations	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.2.1-8/2-8/3-8	Cumulative Impacts	Mitigations 3.2.1-1 to -7	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
GEOLOGY AND SOILS				
3.3.1-1/2-1/3-1/4-1	Expose people or structures to potential substantial adverse effects (including levee failure) resulting from a surface rupture of a known earthquake fault	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.3.1-2/2-2/3-2/4-2	Expose people or structures to potential substantial adverse effects (including levee fail-	<i>Conduct site specific geotechnical investigations to identify and implement appropriate remediation actions (e.g., subgrade densi-</i>	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
	ure) resulting from strong seismic ground shaking	fication)		environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.3.1-3/2-3/3-3/4-3	Expose people or structures to potential substantial adverse effects (including levee failure) resulting from ground failure, including liquefaction	Conduct site specific geotechnical investigations to identify and implement appropriate remediation actions (e.g., subgrade densification)	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.3.1-4/2-4/3-4/4-4	Expose people or structures to potential substantial adverse effects resulting from landslides	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.3.1-5/2-5/3-5/4-5	Substantial soil erosion or loss of topsoil	Implement erosion control BMPs and SWPPP during construction	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.3.1-6/2-6/3-6/4-6	Landslide, lateral spreading, subsidence, liquefaction, or collapse resulting from construction on an unstable geological unit or unstable soils	Implement design, remediation, and construction measures	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.3.1-7/2-7/3-7/4-7	Risk to life or property resulting from con-	Remove and/or remediate unstable or expansive soils	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or

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	struction of structures on expansive soils			alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.3.1-8/2-8/3-8/4-8	Levee failure resulting from erosion	3.3.1-8.1: Levee design and maintenance 3.3.1-8.2: Repair unintended levee breaches 3.3.1-8.3: Maintain levee along Dutch Slough 3.3.1-8.4: Jersey Island Road levee shall account for increased wave run-up	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation actions.
3.3.1-9/2-9/3-9/4-9	Levee failure resulting from seepage	Appropriate levee design, construction, monitoring, and maintenance	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
BIOLOGICAL RESOURCES: TERRESTRIAL AND WETLANDS				
3.4.1-1.1/2-1.1/3.4.1-1.1	Potential impacts to wildlife in irrigated pasture and ruderal terrestrial habitats	Avoid and minimize effects of loss of irrigated pasture and ruderal habitats through project timing and phasing. Minimize earthmoving during breeding season, phase such that impacts to terrestrial habitats do not occur all in the same year.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation actions.
3.4.1-1.2/2-1.2/3-1.2	Potential wildlife disturbance (direct and	Habitat enhancement: brush piles, woody debris, retain trees	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
	indirect) on terrestrial habitats associated with recreation	where feasible, restore or manage diverse grassland types and native scrub and forb vegetation on sandy soils.		alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
3.4.1-2.1/2-2.1/3-2.1	Potential impacts of dredging Little Dutch and Emerson sloughs	3.4.1-2.1a: "Self-mitigate" by increasing acreage of tidal freshwater marsh. 3.4.1-2.1b: When dredging, avoid channel widening, and purposely dredge non-native SAV beds.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-2.2/2-2.2/3-2.2	Potential wildlife disturbance (direct and indirect) around the marsh edge associated with recreation	Habitat enhancement: selective placement of large woody debris in channels, minimize placement of rock slope protection, continuous riparian shrub on tidal marsh edges, do not dredge during nesting season, prohibit food and garbage on marsh levee trails, trail closures to protect rookeries.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-2.3/2-2.3/3-2.3	Potential wildlife disturbance (direct and indirect) associated with maintenance of exterior levee	Minimize disturbance by placing rock in smallest possible areas and avoid nesting periods.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-3/2-3/3-3	Potential impacts to nontidal freshwater marsh and riparian woodland/scrub and associated wildlife species	Design restoration plans to minimize impacts: locate borrow sources outside of existing marshes on site, gradual, rather than sudden, inundation of marshes, sand fill to be covered	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
		with soils, elevations designed for sea level rise, placement of large woody debris.		considered less than significant with implementation of the mitigation action.
3.4.1-4/2-4/3-4	Potential impacts to alkali meadow and seasonal wetland flats and associated wildlife species	Recreate seasonal wetland flats in upland areas of undisturbed soils.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-5.1/2-5.1/3-5.1	Potential impacts to special-status plants	Minimize, avoid, and compensate for impacts common to all sensitive plants: pre-construction surveys, compensatory mitigation if sensitive plants detected including possibly propagation or transplantation.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-5.2/2-5.2/3-5.2	Impacts to special-status tidal marsh plants of dredging Little Dutch and Emerson sloughs	Avoid impacts and compensatory mitigation for salvage, propagation, on-site reintroductions, and monitoring if impacts are unavoidable.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-5.3/2-5.3/3-5.3	Impacts of loss of terrestrial and wetland habitats to special status plants	Minimize, avoid, and compensate for impacts common to all sensitive plants: pre-construction surveys, compensatory mitigation if sensitive plants detected including possibly propagation or transplantation.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.

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3.4.1-6/2-6/3-6	Potential loss of roosting sites for special-status bat species	Minimization and compensation for potential impacts: surveys, protect roost sites as long as possible, no disturbance in breeding season, placement of artificial roost sites.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-7/2-7/3-7	Potential impacts to Cooper's hawk	Minimization, avoidance, and tree replacement.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-8/2-8/3-8	Potential loss of Swainson's hawk foraging and nesting habitat	3.4.1-8.1: Off-site mitigation for loss of foraging and nesting habitat. 3.4.1-8.2: Avoid and minimize loss of nesting trees.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts can be reduced to a level considered less than significant with implementation of the mitigation actions.
3.4.1-9/2-9/3-9	Potential Impacts to burrowing owls	Minimize and compensate for impacts: annual surveys, monitor potentially active burrows, compensatory mitigation plan if owls present including off-site habitat creation.	If burrowing owls are present, Potentially Significant and Unavoidable	Finding/Rationale: If burrowing owls are found on the project site, potentially significant impacts may persist after mitigation because the feasibility of mitigation is unknown, particularly the availability of appropriate off-site compensatory habitat. Therefore, if this impact occurs under the Project, it is potentially significant and unavoidable. DWR concludes that the potential impact is acceptable in light of the project benefits as set forth in the Statement of Overriding Considerations. (CEQA Guidelines, §§ 15091, subd. (a)(3)).
3.4.1-10/2-10/3-10	Potential Impacts to white-tailed kite and	Avoid and minimize impacts through project timing and phas-	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or

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	northern harrier	ing. Minimize earthmoving during breeding season, phase such that impacts to terrestrial habitats do not occur all in the same year. Habitat enhancement: brush piles, woody debris, retain trees where feasible, restore or manage diverse grassland types and native scrub and forb vegetation on sandy soils.		alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts can be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-11/2-11/3-11	Potential impacts to nesting birds	Earthmoving, vegetation clearing, and removal of buildings outside the nesting season; buffers around nest sites, monitoring of nest sites.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-12/2-12/3-12	Potential impacts to tricolored blackbirds	Dependent upon level of pre-project use: maintain terrestrial habitat, off-site mitigation.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-13/2-13/3-13	Potential impacts to California horned larks	Dependent upon level of pre-project use: maintain terrestrial habitat, off-site mitigation.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
3.4.1-14/2-14/3-14	Potential impacts to loggerhead shrikes	Dependent upon level of pre-project use: maintain terrestrial habitat, off-site mitigation.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-15/2-15/3-15	Potential impacts to yellow-breasted chats and other marsh and riparian songbirds	Pre-project surveys, avoid disturbance of nest sites.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-16/2-16/3-16	Potential impacts to special-status wading birds	“Self mitigate” by increasing marsh acreage, large woody debris to provide roost or nest structures.	Positive	
3.4.1-17/2-17/3-17	Potential impacts to California black rails	Survey, modify construction timing to minimize or avoid impacts. If occupied habitat will be unavoidably inundated, use water management outside the nesting season to discourage use of the site by black rails.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-18/2-18/3-18	Potential impacts to California tiger salamanders	Early informal consult with USFWS to determine if surveys necessary for this species which is not likely to inhabit the project site.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
				considered less than significant with implementation of the mitigation action.
3.4.1-19/2-19/3-19	Potential impacts to California Red-legged frogs	Early informal consult with USFWS to determine if surveys necessary for this species which is not likely to inhabit the project site.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-20/2-20/3-20	Potential impacts to northwestern pond turtles	Detailed habitat assessment to determine potential nest sites; consult to determine optimal time of breaching to avoid impacts to nests; timing and location of earthmoving; placement of large woody debris.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-21/2-21/3-21	Potential impacts to giant garter snakes	Early informal consult with USFWS to determine if surveys necessary for this species which is not likely to inhabit the project site.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-22/2-22/3-22	Potential impacts to silvery legless lizards	Where feasible, include habitat improvements to uplands with sandy soils.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
3.4.1-23/2-23/3-23	Potential impacts to vernal pool fairy shrimp and other special status vernal pool invertebrates	Conduct surveys, construct suitable replacement habitat if sensitive species detected, off-site mitigation if necessary.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-24/2-24/3-24	Potential impacts to valley elderberry long-horn beetles	If feasible salvage and re=plant shrubs. Follow USFWS guidelines for replacement of lost shrubs.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.4.1-25/2-25/3-25	Potential impacts to Heritage or other trees protected by local ordinance	Certified arborist to examine trees to be lost during project construction and determine if protected by ordinance. Consult with City to determine number and species of trees to be planted as mitigation.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
BIOLOGICAL RESOURCES: AQUATIC RESOURCES				
3.5.1-1/2-1/3-1	Decreased water quality due to construction/dredging activities	3.5.1-1.1: Develop SWPPP and identify BMPs for controlling soil erosion and the discharge of construction-related contaminants. 3.5.1-1.2: Limit construction to the dry weather season. 3.5.1.1.3: Install coffer dams.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
3.5.1-2/2-2/3-2	Release of low quality water from project area during pre-breach water management periods	3.5.1-2.1: Release on-site water gradually. 3.5.1-2.2: Limit operation during migration periods of sensitive species. 3.5.1-2-3: Maintain short residence time.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.5.1-3/2-3/3-3/4-2	Entrainment of fish into areas disconnected from the Bay-Delta	Develop measures to minimize entrainment under Incidental Take Permit.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.5.1-4/2-4/3-4	Potential mercury methylation could cause bioaccumulation and toxicity to fish	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.5.1-5/2-5/3-5	Disturbance of benthic habitats	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.5.1-6/2-6/3-6	Creation of habitat that benefits non-native fish species	Enhance tidal exchange and manage nonnative submerged vegetation favored by nonnative fishes.	Potentially Significant	Finding/Rationale: The problems caused by nonnative fishes are ubiquitous throughout the Delta and the subsequent invasion of the site by these species may be a significant and unavoidable consequence of habitat restoration. DWR concludes that the potential impact is acceptable in light of the project benefits as set forth in the Statement of Overriding Considerations. (CEQA Guidelines, §§ 15091, subd. (a)(3),).
3.5.1-7/2-7/3-7	Endocrine disrupting chemicals and other contaminants entering the site from Marsh	3.5.1-7.1: Water quality testing and evaluate feasibility of Marsh Creek relocation based on results 3.5.1-7.2: Timing of Marsh Creek	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
	Creek or from fill soils could harm fish	relocation		environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.5.1-8/2-8/3-8	Cumulative Impacts	No additional mitigation required.	Less Than Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.5.4-1	Reduced water quality due to levee repair activities	Follow SWPPP and construction BMPs.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.5.4-2	Entrainment of fish inside the project site through unintended levee breaches or overtopping	Maintain levees to minimize potential for overtopping and breaching.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
AIR QUALITY				
3.6.1-1/2-1/3-1	Vehicular emissions	None required	Less Than Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.6.1-2/2-2/3-2	Construction emissions	Enhanced dust-control program.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
				Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.6.1-3/2-3/3-3	Greenhouse gasses	3.6.1-3.1: BMPS to reduce greenhouse gas emissions. 3.6.1-3.2: Implement carbon sequestration in open water areas.	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
NOISE				
3.7.1-1/2-1/3-1	Construction noise impacts	Limit loads that pass 'noise-sensitive' land uses	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
AESTHETICS				
3.8.1-1/2-1/3-1/4-1	Effect on a scenic vista	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.8.1-2/2-2/3-2/4-2	Effect on a scenic resource	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.8.1-3/2-3/3-3/4-3	Effect on visual quality of the site and its surroundings	None required	Less Than Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
LAND USE				

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
3.9.1-1/2-1/3-1	Physically divide an established community	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.9.1-2/2-2/3-2	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.9.1-3/2-3/3-3	Conflict with any applicable habitat conservation plan or natural community conservation plan	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
AGRICULTURAL RESOURCES				
3.10.1-1/2-1/3-1	Conversion of Prime/Unique Farmland or Farmland of Statewide Importance	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.10.1-2/2-2/3-2	Conflict a Williamson Act contract	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.10.1.3/2.3/3.3	Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
RECREATION				

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
3.11.1-1/2-1/3-1	Conflicts between non-motorized watercraft and motorized watercraft	Watercraft restriction	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.11.1-2/2-2/3-2	Temporary effects on recreational access during project construction	Minimize restriction of trail access, post restriction notices during construction.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.11.1-3/2-3/3-3	Long-term changes in recreational opportunities	Provide signage and education	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
CULTURAL RESOURCES				
3.12.1-1/2-1/3-1	Loss of unknown archaeological resources	Cease work and conduct assessments.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.

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3.12.1-2/2-2/3-2	Cumulative effect of demolition of historic buildings and landscape features	3.12.1-2.1: Relocate historic structures 3.12.1-2.2: Salvage materials 3.12.1-2.3: Documentation	Significant unavoidable impact	Finding/Rationale: Together, the agricultural landscape and buildings of the former dairies on the project site make up a “Rural Historic Landscape”. The restoration project will remove or destroy existing structures and cause a change in land use . Therefore, this impact is significant and unavoidable. DWR concludes that the potential impact is acceptable in light of the project benefits as set forth in the Statement of Overriding Considerations. (CEQA Guidelines, §§ 15091, subd. (a)(3),).
TRANSPORTATION/TRAFFIC				
3.13.1-1/2-1/3-1	Trip distribution and roadway capacity	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.13.1-2/2-2/3-2	Parking	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.13.1-3/2-3/3-3	Cumulative traffic considerations	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
PUBLIC SERVICES, UTILITIES AND SERVICE SYSTEMS				
3.14.1-1/2-1/3-1	Effect on police protection	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.14.1-2/2-2/3-2	Effect on fire protection	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.14.1-3/2-3/3-3	Effect on water supply	Breach Project only after Canal encasement.	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the pro-

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
				posed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.8.1-4/2-4/3-4	Effect on wastewater	None required	Less Than Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.14.1-5/2-5/3-5	Effect on storm drainage	None required	Less Than Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.14.1-6/2-6/3-6	Effect on electrical and gas transmission	None required	Less Than Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
HAZARDS AND HAZARDOUS MATERIALS				
3.15.1-1/2-1/3-1	Effects of Dutch Slough parcel soils contamination	Comply with ESA recommendations, conduct Phase II ESA	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.15.1-2/2-2/3-2/4-2	Health risks associated with demolition activities	Assess for asbestos and lead prior to demolition and follow recommendations	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.

Impact Number	Impact	Mitigation	Significance After Mitigation	Findings of Fact, and Rationale for Findings
3.15.1-3/2-3/3-3/4-3	Health effects to workers from use of Iron-house parcel soils	None required	Not Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)
3.15.1-4/2-4/3-4/4-4	Health effects from mosquitoes	3.15.1-4.1: Follow BMPs for tidal marshes 3.15.1-4.2: Follow BMPs for open water managed marshes	Less Than Significant	Finding: Based on the EIR and the entire record before the Department of Water Resources, DWR finds that changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. Rationale: The significant impacts will be reduced to a level considered less than significant with implementation of the mitigation action.
3.15.4-1	Effects of existing contaminated soils	None required	Less Than Significant	Finding/Rationale: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)